

# Education Legislation of the 2013 Arizona Legislative Session

Bill Number	Short Title	Primary Sponsor	Latest Action	Summary
1100	ASDB; CONTINUATION	Yee, Hobbs, Landrum Taylor, Lopez, Meza, Pancrazi, Reagan	<b>Signed</b>	The statutory life of the Arizona State Schools for the Deaf and the Blind is extended 10 years to July 1, 2023. Retroactive to July 1, 2013.
1103	CHARTER SCHOOLS; ZONING PROCEDURES	Yee	<b>Signed</b>	A charter school is permitted to authorize a third party to apply to a municipality or county for any zoning application or action. Also, voluntary compliance of a school district in the zoning regulations of a municipality or county does not result in the application of those zoning regulations to a charter school.
1204	CHARTER SCHOOLS; APPLICATIONS; RENEWALS; REVOCATIONS	Yee	<b>Signed</b>	Charter school charters are no longer required to include a description of personnel policies, personnel qualifications and method of school governance. The information that must be included with a charter school application to a proposed sponsor or a renewal application is modified. A sponsor is authorized to revoke a charter or deny a request for early renewal if the charter holder has failed to meet academic or operational performance expectations, complete the obligations of the contract or comply with applicable law. Emergency clause.
1208	PILOT; FOSTER CARE TUITION WAIVER	Driggs, Landrum Taylor, Murphy, Tovar, Yarbrough, Alston, Forese	<b>On the Governor's Desk</b>	The Arizona Board of Regents is required to develop a five-year pilot program to provide tuition waiver scholarships to state universities and community colleges to state residents who are or were in foster care at age 16 or older, or who were adopted from foster care at age 16 or older and who meet other specified requirements. The Auditor General is required to review the pilot programs and submit a report to the Governor and the Legislature by June 30, 2017. If the pilot program is terminated before a scholarship recipient obtains a degree and before he/she reaches 23 years of age, the person must continue to be awarded a tuition waiver scholarship until he/she reaches age 23 or obtains a degree, whichever occurs first. Self-repeals July 1, 2018.
1293	SCHOOLS; PILOT; OUTCOME-BASED FUNDING	Crandell, Burges, Thorpe	<b>Signed</b>	The State Board of Education is required to establish a competitive application process for a four-year pilot program for outcome-based funding of schools. School districts and charter schools are required to apply to participate in the pilot program by January 1 of each year of the program, and the Board must select the up to 5 school districts and up to five charter schools to participate by March 1 of each year. At least one district and one charter school must provide online instruction. Establishes mechanisms to determine funding for participating school districts and charter schools and requirements for the schools. Public universities are required to perform various functions to assist with the program. The pilot program self-repeals September 16, 2020.
1337	SCHOOLS; CPR TRAINING	McGuire, Landrum Taylor, Miranda, Steele, Wheeler	<b>On the Governor's Desk</b>	All students must be provided at least one training session in CPR during grades 6 through 12. The training must be provided by a person who is certified in CPR by a nationally recognized nonprofit organization, or by a licensed physician, nurse practitioner or physician assistant.
1363	EMPOWERMENT SCHOLARSHIP ACCOUNTS; EXPANSION; FUNDING	Murphy, Burges, Yarbrough, Fann, Lesko, Montenegro, Seel, Smith	<b>On the Governor's Desk</b>	For the purpose of empowerment scholarship accounts, the definition of "qualified student" is expanded to include students who are otherwise qualified but have not previously attended a governmental primary or secondary school and who are currently eligible to enroll in a kindergarten program. The amount transferred to an empowerment scholarship account is increased to 90 percent of the sum of the base support level and charter school additional assistance if that student were attending a charter school. During 2014 through 2019, the number of new empowerment scholarship accounts approved by the Department of Education each year cannot exceed 0.5 percent of the total number of students enrolled in school districts and charter schools in Arizona during the previous school year.
1421	SCHOOL PERSONNEL; EMERGENCY EPINEPHRINE ADMINISTRATION	Lopez; Bradley; Landrum Taylor	<b>On the Governor's Desk</b>	Pursuant to a standing order issued by the chief medical officer of the Department of Health Services or a county health department, or a licensed medical doctor or doctor of osteopathy, a trained school district or charter school employee is authorized to administer auto-injectable epinephrine to a student or adult whom the employee believes in good faith to be exhibiting symptoms of anaphylactic shock while at school or at school-sponsored activities. Beginning in the 2014-15 school year, each school district and charter school is required to stock two juvenile and two adult doses of auto-injectable epinephrine at each school. By January 1, 2014, the State Board of Education is required to adopt rules that prescribe annual training for school personnel in the administration of auto-injectable epinephrine and recognition of anaphylactic shock symptoms.

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1447	SCHOOLS; DEPT OF ED; OMNIBUS	Yee	On the Governor's Desk	Various changes related to the Department of Education. Repeals statute requiring the Department of Revenue to provide a space on the individual income tax return form where the taxpayer may designate all or any amount of the taxpayer's refund as a voluntary contribution for state aid to public schools. The assistance for education fund is repealed. The sum of the average daily membership for a student enrolled in both a charter school and a joint technical education district is prohibited from exceeding 1.75, instead of 1.25. Allows Special Education Preschool children to generate ADM for charter schools. Eliminates unnecessary school bus reporting requirements. Allows ADE to outline guidance for schools in the school improvement process. Provides mercy legislation for Red Mesa School District.
1449	SCHOOLS; GRADUATION; PERSONAL FINANCE; ENTREPRENEURSHIP	Yee	On the Governor's Desk	The list of academic areas which the State Board of Education is required to prescribe competency requirements for students to graduate from high school is expanded to include personal finance and entrepreneurship.
1450	SCHOOL DISTRICTS; FERPA VIOLATIONS; PENALTY	Yee	On the Governor's Desk	Any person who suspects that a school district or charter school has violated the Family Educational Rights and Privacy Act may notify the principal or superintendent. If the matter is not resolved within 60 days of notice, the person may file a complaint with the State Board of Education or Superintendent of Public Instruction. If a violation is determined, the school district or charter school must be notified. If the violation is not corrected within 60 days after notice, the Board or Superintendent may direct the Department of Education to withhold up to 10 percent of the monthly apportionment of state aid that would otherwise be due the school district or charter school until the violation is corrected.
2018	SCHOOL DISTRICT BUDGET ERRORS; REPAYMENT	Montenegro	On the Governor's Desk	A school district that over expended its budgets during FY2003-04 through FY2005-06 and meets other specified requirements is required to correct the overexpenditures in annual installments of five percent in each FY, instead of five percent for the first four FYs and ten percent in the remaining FYs. [Capitol Reports Note: Legislative staff indicates this legislation applies to the Saddle Mountain Unified School District in Tonopah, Arizona.]
2042	SCHOOLS; PUPILS WITH DIABETES	Carter	Signed	School districts and charter schools are required to provide any medication administration services specified in a child's diabetes medical management plan. The student's parent or guardian is required to provide insulin and all equipment and supplies necessary for insulin administration by voluntary diabetes care assistants.
2071	ADE; OPERATIONS	Coleman	Signed	The Department of Education is authorized to impose a per transaction convenience fee for teacher certification or examination fees collected by credit or debit card or other electronic payment.
2169	UNIVERSITIES; STUDENT ORGANIZATIONS; TUITION; FEES	Kavanagh	Signed	Universities under the jurisdiction of the Board of Regents are prohibited from transferring any portion of student tuition or fees to an organization consisting of enrolled students if any portion of that money will be used to influence an election or to advocate for or against pending or proposed legislation. Students must affirmatively consent in writing to the transfer of a specific amount of their tuition or fees to a specified student organization.
2202	SCHOOL DISTRICTS; LEASES	Robson, Dial, McComish	Signed	The maximum number of years that school district leases or lease-purchase agreements can last without voter approval is increased to ten, from five. School districts with a certain amount of outstanding bonded indebtedness are no longer prohibited from calling an override election to exceed the capital outlay revenue limit.
2217	EXTRAORDINARY EDUCATORS SPECIAL PLATES	Dial, Borrelli, Coleman, Forese, Orr, Steele, Thorpe, Bradley, Driggs, Gallardo, Landrum Taylor, Meza, Tovar	Signed	The Dept of Transportation is authorized to issue special extraordinary educators license plates if an entity pays \$32,000 in start-up costs by December 31, 2016. Of the \$25 annual fee, \$8 is an administrative fee and \$17 is a donation to the extraordinary educators special plate fund established by this act. Monies in the fund are to be distributed to a nonprofit foundation that supports an elementary school district in Arizona and helps prepare students in grades K-8 for the 21st century.
2265	COMMUNITY COLLEGES; STEM FUNDING	Forese	On the Governor's Desk	State aid to community college districts for capital outlay is designated at state aid for science, technology, engineering and mathematics (STEM). STEM monies must be used for those subjects and may include specified expenditures. By December 1 of every even-numbered year, community college districts must submit a report of STEM activities and expenditures to the Governor, the Legislature and the Arizona Commerce Authority.
2317	FINGERPRINT CLEARANCE CARD; EXPIRED USE	Farnsworth	Signed	An expired fingerprint clearance card may be used to satisfy the fingerprint requirements of various school personnel if the person signs an affidavit stating that the person submitted a completed application for a new card within 90 days before the expiration date, and that the person is not awaiting trial on and has not been convicted of a criminal offense that would make the person ineligible. Does not apply to a card that has been denied, suspended or revoked or to a person who has requested a good cause exception hearing. Emergency clause.

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2403	TEACHER EMPLOYMENT CONTRACTS; ELECTRONIC SIGNATURES	Carter	Signed	School boards are authorized to receive teacher contracts in an electronic format and to accept electronic signatures on those contracts.
2425	EDUCATION BOARD; ELL; COMPETENCY TESTS	Goodale	Signed	Eliminates the requirement for the State Board of Education to adopt a competency test in at least the areas of reading, writing and mathematics as a requirement for high school graduation. Repeals alternative high school graduation requirements for a student who fails to achieve a passing score on the competency test. Eliminates the requirement for the Board to adopt and implement a statewide nationally standardized norm-referenced achievement test in reading, language arts and mathematics. Also, retroactive to January 1, 2013, the Arizona English Language Learners Task Force is eliminated and the State Board of Education succeeds to the authority, powers, duties and responsibilities of the Task Force.
2427	SCHOOLS; UNIFICATION; CONSOLIDATION; INITIAL MEETINGS	Goodale	Signed	For all actions necessary for the first year of operation of a newly formed unified school district, the unified school board is constituted and may conduct meetings after the adoption of unification resolutions. After the canvass of votes to consolidate school districts demonstrates that a majority of the votes case approved the consolidation, the school board is constituted and may conduct public meetings. School districts, community college districts and other special taxing districts that are in the process of organizing into law are required to file information with the Department of Revenue and the county assessor. Retroactive to July 1, 2012.
2458	EMPOWERMENT SCHOLARSHIP ACCOUNTS; FRAUD PREVENTION	Boyer	Signed	The Department of Education is authorized to adopt policies for conducting or contracting for: examinations of the use of empowerment scholarship account monies; random, quarterly and annual reviews of accounts; and the establishment of online and telephone anonymous fraud reporting services. A person commits fraudulent use of an empowerment scholarship account if the person knowingly obtains assistance or service to which the person is not entitled or that is greater than that to which the person is entitled.
2476	SCHOOLS; ISOLATION ROOMS; RESTRICTIONS	Townsend, Stevens	Signed	Beginning in school year 2013-2014, disciplinary policies for the solitary confinement of a student must include certain criteria including the size of the room and the method in which the student will be monitored.
2489	BONDS; FINANCING; STUDENT LOANS	Dial, Boyer, Forese, Yee	On the Governor's Desk	A corporation is authorized to issue bonds in order to finance student loans made in a student loan program, and is granted a list of powers to act in furtherance of a student loan program. All industrial development authorities are authorized to exercise powers and issue revenue bonds to finance student loans so that the state's student loan program is available for eligible students at qualified educational institutions.
2494	CHARTER SCHOOLS; ENROLLMENT PREFERENCE	Boyer, Coleman	Signed	The list of students that charter schools may give enrollment preference to is expanded to include grandchildren or legal wards of school or charter holder employees and students or siblings of students who attended another charter school that is managed by the same educational management organization, charter management organization or educational service provider.
2496	SCHOOLS; PETITION; REGULATORY EXEMPTIONS	Mesnard	Signed	Statute allowing school districts to receive exemptions from certain statutes and rules is expanded to include charter schools. In order to qualify to receive exemptions, a school district or charter school is required to have a letter grade of "A" for at least two of the last three years, instead of all three years, and cannot have a letter grade of "C" or below during those three years.
2499	JTEDS; PER PUPIL FUNDING CALCULATION	Goodale, Orr, Bradley, Cajero Bedford, Farley	On the Governor's Desk	The average daily membership for a student in grades 10 through 12 who is enrolled in a course that meets for at least 150 minutes per class period at a centralized campus leased and operated by a Joint Technical Education District (JTED) is capped at 0.75 if specified conditions are met. A student enrolled in an accommodation school may be treated as a student of the school district in which the student physically resides for the purposes of JTED enrollment, and the student counts in the calculation of average daily attendance for either the JTED or the accommodation school or both.
2500	SCHOOLS; TEACHER EVALUATIONS; DISMISSALS	Goodale, Boyer, Miranda, Orr	Signed	Various changes to the system for evaluating the performance of certified teachers that school districts are required to establish. The two actual classroom observations of the teacher must be done annually and must be done by a qualified evaluator, who must receive training. The second observation may be waived for a "continuing teacher" (defined) in one of the highest performance classifications. The evaluation system must include a plan for the appropriate use of quantitative data of student academic progress in teacher evaluations. School boards are required to adopt a definition of inadequacy of classroom performance that aligns with the performance classifications, and the definition must be developed in consultation with the district's certified teachers. A preliminary notice of inadequacy of classroom performance must be accompanied by a performance improvement plan designed to help the teacher correct inadequacies. A continuing teacher who has been designated in one of the two lowest performance classifications for the preceding and current school years immediately becomes a probationary teacher and remains probationary until the teacher's performance classification is designated in either of the two highest classifications. Retroactive to July 1, 2013.

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2543	PROVISIONAL COMMUNITY COLLEGES; NONRESIDENT TUITION	Orr, Wheeler	<b>Signed</b>	If a provisional community college district is formed in a county that provides reimbursement for the attendance of nonresident state students, that county is required to continue to provide reimbursement payments to community college districts until the fiscal year following the year in which a "qualifying levy" (defined) is adopted by either the county board of supervisors or the provisional district's governing board. The total reimbursement payments due to other community college districts in any FY must be reduced by the amount of any "nonqualifying levy" (defined) expended in the prior FY.
2611	SCHOOL DISTRICT SUPERINTENDENT CONTRACTS; RENEGOTIATION	Quezada, Gallardo	<b>Signed</b>	School districts cannot offer to extend or renegotiate a superintendent's employment contract earlier than 15 months before the contract expiration, instead of before May of the year preceding the final year of the contract.